



U.S. Department of Justice
United States Attorney
Western District of New York

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PRESS RELEASE

June 10, 2005

RE: UNITED STATES v. ANDREW SHOMERS

Acting United States Attorney Kathleen M. Mehltrittter announced that earlier today ANDREW SHOMERS, age 42, of Niagara Falls, New York, pleaded guilty to federal racketeering charges before District Judge Richard J. Arcara. As part of his guilty plea, SHOMERS specifically admitted to committing, along with other Local 91 members, a number of acts of violence and property sabotage at the behest of former union leaders, all in an effort to extort both union and non-union tradespersons out of their rightful jobs. The racketeering charge was the main count of an Indictment which accused SHOMERS with a variety of federal offenses, is a violation of Title 18, United States Code, Section 1962(d), and carries a maximum penalty of 20 years imprisonment, a fine of \$250,000.00, or both.

Assistant U.S. Attorney William J. Hochul, Jr., and Assistant U.S. Attorney Brett A. Harvey, who are handling the case, stated

that the charges arose from a lengthy criminal investigation conducted by a variety of federal, state and local agencies into the activities of Laborers International Union of America, Local 91 (hereinafter "Local 91"), based in Niagara Falls, New York. According to the Indictment, certain Local 91 members, including SHOMERS, engaged in repeated acts of extortion at a number of construction projects in Niagara County, New York, over a six year period of time.¹ To date, one other defendant has been convicted of racketeering conspiracy, two defendants were convicted after a jury trial of extortion, another defendant was convicted of attempted destruction of a Alliant Food Service truck, and another defendant was acquitted of trying to destroy the Alliant truck. The former head of Local 91, Michael "Butch" Quarcini, meanwhile, passed away, while another Local 91 member pleaded guilty to perjury for lying to the grand jury that returned the indictment. Eight remaining defendants are awaiting a trial currently scheduled for September.

As part of his guilty plea, SHOMERS admitted that he and other members of Local 91 committed the following acts of violence and sabotage:

¹It should be noted that the fact that a defendant has been charged with a crime . . . is merely an accusation and the defendant is presumed innocent until and unless proven guilty. (**Disciplinary Rule 7-107(B)(6)**).

1. property destruction and sabotage at the Target store in May, 1996;
2. detonation of explosive devices at the home of certain non-union employees in April, 1997;
3. participation in a mass attack upon members of the bricklayers union at a Wegman's construction site in September, 1998; and
4. violence committed during the construction of the Niagara Falls High School in 1999 through 2000.

Hochul and Harvey stated that, as part of his plea, SHOMERS agreed to cooperate with the Government and that the agreement specifically requires SHOMERS to provide testimony regarding, among other things, the following acts of sabotage and property destruction:

1. destruction of a perimeter security fence at the Delta Sonic in Niagara Falls in early 1997;
2. destruction of a landfill liner at the BFI landfill in September, 1997;
3. extensive destruction of construction equipment at CWM Chemical Services, Inc., in 1998;
4. property sabotage at the Niagara Falls Housing Authority in 1998; and

5. occasions when a co-defendant sought to prevent cooperation with law enforcement.

Ms. Mehltreter stated that the information provided by SHOMERS, along with another recently convicted Local 91 member, Anthony Cerrone, is being investigated to determine whether additional persons are responsible for violating federal law.

The plea was the culmination of a joint investigation on the part of the Office of Inspector general of the United States Department of Labor under the direction of Inspector General Gordon Heddell, the Federal Bureau of Investigation, under the direction of Special Agent in Charge Peter Ahern, the New York State Police, under the direction of Major Michael Manning, the Niagara County Sheriff's Office, under the direction of Sheriff Thomas Beilein, and the Niagara Falls Police Department, under the direction of Superintendent John Chella.

Judge Arcara set sentencing for November 21, 2005 at 12:30 P.M., at which time SHOMERS faces a probable sentence of 51-63 months. Judge Arcara remanded SHOMERS to the custody of the United States Marshal Service but allowed him to remain out of custody for four weeks to get his affairs in order.